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May 24, 2013

Mr. Jeff Jordan, Esq.
Office of Complaints Examination
Office of General Counsel
Federal Election Commission
999 E. Street Northwest
Washington, D.C. 20463

Re: Brad Miller for United States Congress
Committee # C00371211
Sua Sponte Submission and Complaint

Dear Mr. Jordan:

I write in behalf of the Brad Miller Committee, for which I serve as Treasurer and counsel. Please accept this correspondence, which is made under oath, as a *sua sponte* submission to the Commission, regarding certain reporting irregularities as are herein described, and as a Complaint to be investigated as a matter under review against Jonathan W. Broyhill.

Factual Background

The Brad Miller for United States Congress Committee is the principal campaign committee of R. Bradley Miller, formerly a member of the U.S. House of Representatives, representing the 13th Congressional District in North Carolina. During the course of 2011, the North Carolina General Assembly redrew congressional district lines, significantly modifying the boundaries of the 13th Congressional District and placing Congressman Miller in the 4th Congressional District, along with incumbent Democratic Congressman David Price.

In early 2012, prior to the filing period for the filing of Notices of Candidacy, Congressman Miller determined that he would not seek election to office as a member of Congress in the 2012 election cycle. He had, prior to that time, anticipated seeking election and had engaged in activities in anticipation of that election cycle. Among other things, Congressman Miller engaged the services of SkyBlue Strategies, a proprietorship operated by Ms. Jamie Hahn, to provide campaign management, fundraising, and compliance services. Ms. Hahn was designated as the custodian of the Committee's records. At a time not known to the Committee, Ms. Hahn engaged Jonathan W. Broyhill to provide assistance with the Miller Committee.

During the course of 2011, SkyBlue assisted in the fundraising activities of the Committee and, through Ms. Hahn and Mr. Broyhill, prepared draft reports of contributions and expenditures, and met with me quarterly to review such draft reports. These reports were generated by the NGP reporting software utilized by SkyBlue. Upon review and approval of

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final reports, the reports were uploaded from the Committee's computer for electronic filing with the Commission and House Office of Public Records.

Fundraising activities and related compliance matters were the contractual obligations of SkyBlue. Therefore, during 2011, the Committee's activities largely consisted of fundraising in anticipation of the 2012 election cycle. In 2012, however, with the decision of Congressman Miller not to seek election, the Committee's activities evolved. Ms. Hahn, who had been expected to serve through 2012 as campaign manager, ceased the fundraising activities that had been the focus of her efforts. SkyBlue Strategies was, as of early 2011 and through July 2012, compensated in the amount of \$6,500.00 per month for its services. Thereafter, SkyBlue Strategies was compensated at the rate of \$2,000.00 per month for the balance of 2012.

Embezzlement from the Committee

As of January 1, 2012, the Committee had a bank balance of approximately \$160,000.00. It was the intention of the Congressman and the Committee to make refunds to some contributors and to pay certain indebtednesses of the Committee as it wound down its activities. Apparently, Mr. Broyhill was entrusted with the records of the Committee, including the checkbook, and was provided access to the Committee's post office box, phone accounts, and office. During the course of 2012, he engaged in substantial acts of embezzlement, apparently writing checks to himself and entering them in the NGP system as refunds to contributors or contributions to other candidates. By these activities, along with the expenditure of Committee funds for lawful and appropriate purposes, the balance in the Committee account was reduced to approximately \$47,000.00 by the beginning of the fourth quarter of 2012. During that fourth quarter, the Committee expended another \$17,500.00 (this computation is based upon an incomplete set of bank documents and does not recognize contributions received but not yet credited, nor checks disbursed but not yet debited).

In early 2013, I met with Mr. Broyhill with respect to the preparation of the fourth quarter report, and, subject to one or more proposed revisions, expected that such report would be timely filed by an uploading from the Committee's computer, utilizing the NGP software. Apparently, Mr. Broyhill failed to file the report. However, after the close of the first quarter of 2013, Ms. Hahn and Mr. Broyhill met with me to review the draft report of activity for the first quarter of 2013. Again, questions were raised and requests for amendment were made. In this instance, the report was uploaded, but without correction of the items identified for revision.

During the course of this period of time, other questions surfaced with respect to the Committee's financial condition, and on April 22, Mr. Broyhill met with Ms. Hahn, apparently to address her concerns regarding the activities of Mr. Broyhill. During this meeting, Mr. Broyhill assaulted Ms. Hahn, resulting in her death. In this regard, I enclose a news account of this attack, which has been printed from the web site of The News & Observer, the locally prominent newspaper published in Raleigh. Mr. Broyhill has since been charged with the murder of Ms. Hahn.

Most of the records of the Committee, including bank statements, checkbook, records of accounts payable, and the laptop computers of the Committee, were in the automobile owned by Mr. Broyhill and have been seized pursuant to a search warrant issued in connection with the murder prosecution. Those records will be in the possession of the Raleigh Police Department and the Wake County District Attorney for an indeterminate period of time. The Committee has requested a complete set of bank records from PNC Bank but has not yet received any records from the bank. The Committee has, however, regained access to its post office box and has discovered that the Committee's mail had not been regularly retrieved. I am aware, now, that two or more items were sent to the Committee's post office box, which was, by October 2011, accessed only by Mr. Broyhill, and that the Commission had attempted to correspond with me through that post office box. I did not receive such correspondence. Therefore, the Committee has not yet responded to the request for additional information transmitted to me in October of 2012, nor has the Committee filed the Fourth Quarter 2012 Report. In fact, the Committee cannot file its fourth quarter report yet, and must obtain all its bank records from PNC Bank in order to amend previously filed and apparently inaccurate reports dating back through 2012, and perhaps earlier. The Committee is unable to file later reports until these records are received and those reports filed. The Committee has consulted NGP regarding this process and has engaged a compliance specialist to assist in the accurate completion of these tasks.

It is the intention of the Committee to amend and file all erroneous reports and will do so as quickly as possible. The completion of this task will require the receipt of all bank statements at minimum; and may require access to the Committee's checkbook. I am reluctant to set forth a date upon which this task can be completed, but will expedite the tasks which are necessary to restoration of an accurate public record of the Committee's financial activities. The Committee mailed a Form 99 submission to the Commission on May 23, 2013, to set forth on the public record the Committee's awareness that its filed reports may not be deemed to be reliable. The Committee will, of course, cooperate with the Commission to the best of its ability.

The Committee is mindful that the reports presently of record with the Commission contain significant errors. In this regard, the Committee has requested and anticipates receipt of its bank statements, and from such bank statements, expects to be able to amend those reports which are erroneous. As we have discussed, we are aware of the policy statement regarding self reporting of campaign finance violations in behalf of our client. We respectfully request that our client be given the opportunity to utilize the self-reporting procedure and receive the considerations afforded to those responding appropriately to the policy statement and complying therewith.

Complaint Against Jonathan W. Broyhill

The Committee is informed and believes that the acts of embezzlement on the part of Mr. Broyhill as are described herein resulted in a loss to the Committee in an amount in excess of \$60,000. As set forth above, these acts of embezzlement were achieved by the issuance of checks by Mr. Broyhill to himself, accompanied by an entry into the check register showing each disbursement by check to be a disbursement to a candidate committee, former contributor, or as payment of a creditor. The disbursements were then entered into the reporting software utilized

by the committee, the NGP system, to generate prescribed reports for filing with the Federal Election Commission, pursuant to the Federal Election Campaign Act, resulting in erroneous submissions to the Commission. These acts were committed intentionally and with malice, and resulted in a misappropriation of committee assets, along with corresponding erroneous disclosures.

The Committee reasonably anticipates receipt of additional information from which to describe, in detail, the wrongful acts of Mr. Broyhill. The Committee requests that the Commission initiate an appropriate matter under review to address these allegations, pursuant to 2 U.S.C. §437g.

Further, the Committee respectfully requests that the Commission receive this correspondence, under oath, as a *sua sponte* submission pursuant to the Commission's policy regarding *sua sponte* submissions; self-reporting campaign finance violations, and further, as a Complaint against the respondent, Jonathan W. Broyhill for the wrongful malicious acts which are alleged herein.

Regards,

WALLACE & MORDAN, LLP

John R. Wallace

The undersigned, John R. Wallace, after being duly sworn, deposes and says that he has read the foregoing document and knows the contents thereof to be true of his own knowledge, except as to those matters and things alleged upon information and belief, and as to those matters and things he believes them to be true.

This the 24th day of May, 2013.

John R. Wallace

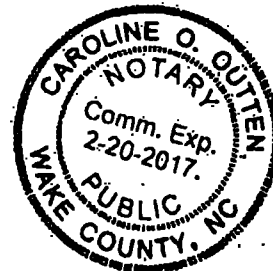
SWORN TO AND SUBSCRIBED
before me this day by John R. Wallace .

This 24th day of May, 2013.

Caroline O. Outen

Notary Public

My Commission Expires: 2/20/2017



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Suspect in Jamie Hahn stabbing made questionable campaign reports, ex-congressman says

Published: April 24, 2013



Jameson Kirk Hahn and Nation Richard Hahn

Courtesy

By Josh Shaffer, Anne Blythe and Thomas McDonald — jshaffer@newsobserver.com
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RALEIGH — As the Triangle mourned slain political strategist Jamie Hahn on Wednesday, attention turned to whether the man who police say stabbed her had made questionable campaign finance reports while working for Hahn's firm.

Hahn, 29, died early Wednesday from wounds sustained Monday evening, when police say Jonathan Broyhill, 31, stabbed Hahn and her husband, Nation, in their North Raleigh home.

Broyhill worked for Sky Blue Strategies, Jamie Hahn's political consulting firm.

Former Democratic U.S. Rep. Brad Miller, who decided not to seek re-election in 2012, said he hired Sky Blue for fundraising help around 2010. Broyhill was the main person with access to fundraising software, Miller said.

"Some of the things that Jon said about the campaign finances were inconsistent with other information," Miller said Wednesday. "It's probably the case that Jamie was asking questions on behalf of the campaign about campaign finances. I think it's bound to be part of the investigation of Jon's motive."

Broyhill is a longtime friend of Nation Hahn and acted as best man at the couple's 2009 wedding. Broyhill has been charged with attempted murder and assault with a deadly weapon with intent to kill inflicting serious injury. Raleigh police said Wednesday they expect to upgrade Broyhill's charges to murder.

He remains at WakeMed with self-inflicted injuries, police spokesman Jim Sughrue said. Sughrue declined to comment on any investigation into Broyhill's handling of campaign money.

In October, the Federal Elections Commission sent Miller campaign treasurer John Wallace a letter requesting more information about documents that appeared to show donors receiving refunds from the campaign in excess of what they paid.

Those five donors gave a combined \$8,250 in the 2012 quarterly report cited by the FEC, but the document shows the five receiving a combined \$15,900 in refunds. It's not clear whether the donors actually received refunds.

Miller emphasized that he does not know of any law enforcement inquiry into election money and said any investigation is limited to his campaign thus far. His campaign's latest report to the FEC was filed April 15, showing \$2,383 in expenses for the first quarter of 2013 and \$62,914 on hand.

"Obviously, we'll have someone look at bank records and (FEC) reports and see if people shown on the reports were paid," Miller said.

'She was my center'

A service for Jamie Hahn has been set for 11 a.m. Saturday at Raleigh's Pullen Memorial Baptist Church, where the Hahns and Broyhill were active.

"Jamie lost her struggle to live this morning," her family said in a statement issued early Wednesday. "We lost a beautiful and loving wife, daughter and friend. We all lost a pure and brave spirit."

On Wednesday morning, Nation Hahn wrote about his wife in several posts on Twitter.

"I have no idea what I am going to do without @jamiehahn. She was my center, my rock and my soulmate," he wrote.

Later, he posted, "It is almost unfathomable that the sun can shine without @jamiehahn here. Tell your loved ones how much they mean to you daily."

At a service on Tuesday, he read a poem by Aeschylus: "Even in our sleep, pain which cannot forget falls drop by drop upon the heart until, in our own despair, against our will, comes wisdom through the awful grace of God."

Friends reported Wednesday that Nation Hahn was upstairs, changing into gym clothes, on Monday evening when he heard his wife scream. He ran down to find her being attacked. He received cuts on both hands as he tried to stop the violence.

Emergency dispatchers received a 911 phone call from a woman shortly before 5:30 p.m. Monday. The caller, whom police did not identify, frantically described Jamie Hahn as "bleeding terribly," according to a recording of the call.

Jamie Hahn had run out of the home, the recording said. The caller described multiple wounds in the abdomen area.

Police arrived on the scene and followed a trail of blood from Tealbriar Drive to nearby Tealwood Place, where they found Broyhill in the Hahns' home and additional blood, according to a search warrant released Tuesday.

Police collected a knife and a button from the home, a search warrant said.

Both Nation Hahn and Broyhill hailed from Lenoir, and the three shared common interests beyond their jobs as Democratic strategists, fundraisers and campaigners. They often watched college basketball together, and Jamie Hahn's Facebook wall shows a photo of the three sipping drinks with umbrellas perched in their glasses.

On Monday nights, the three routinely gathered at the Hahn home for supper, friends said.

'Her light will shine'

Nation and Jamie Hahn, both graduates of UNC-Chapel Hill, were married in April 2009 at the First Baptist Church in Orangeburg, S.C., where many in the bride's family lived.

In its statement Wednesday, the family said Jamie Hahn "believed in justice, opportunity and fairness for all. She loved politics, and she saw the Democratic Party as the path to realize her ideals.

"She had a gift for bringing us together — black and white, young and old, gay and straight. She challenged us to work together for a better world. Her light will shine on in all of us who knew and loved her."

Miller, the former congressman, said he knew both Hahns and Broyhill.

"I spent a lot of time with Jon," he said. "Jon would sit with me when I made calls. Jamie might send Jon with me to events."

Nation Hahn also is well-known among North Carolina Democrats as an online strategist who has helped many politicians and nonprofit organizations with direct mail and email campaigns. He worked with the Coalition to Protect All N.C. Families, a campaign opposed to the state constitutional amendment that limits marriage to a union between a man and a woman.

Gary Pearce, a Democratic strategist and friend of the Hahns, posted on his Talking About Politics blog Wednesday, "Jamie and Nation had a unique quality that people responded to. They liked people. Their home was a familiar gathering place. People had fun."

"Jamie liked politics, and she was good at it. She exemplified all that is good in politics," Pearce wrote. "Yesterday, the Wake County Republican Party posted a tribute to them both. That was a class act. This is one of those times when what unites us as people is so much bigger than what divides us in politics."

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